

Remarks and Arguments

Reconsideration of the present application is respectfully requested in light of the foregoing amendments and the following remarks.

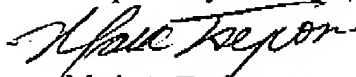
Claims 1 and 3-34 are presented in the present application, claim 2 having been cancelled by the present Amendment. By the Official Action dated July 13, 2004, Claims 16-24 and 34 have been allowed. Claims 1, 6, 8, 13-15, 25 and 31-33 stand rejected. Claims 2-5, 7, 9-12 and 26-30 are objected to as depending from a rejected base claim. Further, the specification has been objected to.

Turning first to the specification, by the present Amendment, the applicant has amended the specification in a manner suggested by the Examiner. It is therefore respectfully requested that the outstanding objection to this specification be withdrawn.

Turning now to the claims, Claims 1, 6, 8 and 25 stand rejected under 35 U.S.C. §102(b) as being assertedly anticipated by Hollingsworth U.S. Patent No. 646,218 (Hollingsworth '218). The Examiner has also noted that Claim 2, among other claims recites patentable subject matter and is objected to as depending from a rejected base claim. Consequently, apparatus Claim 1 and method Claim 25 have been rewritten to include the subject matter of Claim 2. Since Hollingsworth '218 does not disclose or suggest a plenum or reservoir formed from pliant material as currently recited in amended Claims 1 and 25, the rejection of Claims 1 and 25 is now moot and it is respectfully requested that this rejection be withdrawn. Similarly, dependent Claims 3-5, 7, 9-12 and 26-30 all depend from a now allowable base claim and should be considered allowable as well. In a similar manner, Claims 13-15 and 31-33 all ultimately depend from now-allowable claims and should be considered in condition for allowance. Claims 16-24 and 34 have been allowed.

Since the claims have been amended in a manner suggested by the Examiner and since the specification has been corrected, it is respectfully asserted that the present application is in condition for allowance and it is respectfully requested that the present application be allowed and passed to issue.

Respectfully submitted,



Mark A. Taylor
Attorney for Applicant
Registration No. 35,706

Correspondence directed to:
Mark A. Taylor, Esq.
STOLL, KEENON & PARK, LLP
300 West Vine St.
Suite 2100
Lexington, Ky. 40507
Telephone: (859) 231-3018
Facsimile: (859) 253-1093

Version With Markings To Show Changes Made

In The Claims

1. (Currently Amended) An apparatus for facilitating a tobacco curing process for use in a tobacco barn, with the tobacco barn having a plurality of internal cross members for supporting tobacco leaves during curing, said apparatus comprising:

a plenum formed from pliant material for attachment to a tobacco barn;

a device for generating air movement in fluid communication with said plenum for delivering atmospheric air thereto; and

a plurality of conduits in fluid communication with said plenum for receiving airflow therefrom, said conduits being formed with a plurality of openings therein to allow air to flow outwardly therefrom, said conduits being configured for disposition within the barn for fluid communication with tobacco in a curing disposition within the barn.

25. (Currently Amended) A method for facilitating a tobacco curing process for use in a tobacco barn, with the tobacco barn having a plurality of internal cross members for supporting tobacco leaves during curing, said method comprising the steps of:

providing an apparatus for facilitating a tobacco curing process including a plenum formed from pliant material for attachment to a tobacco barn; a device for generating air movement in fluid communication with said plenum for delivering atmospheric air thereto; and a plurality of conduits in fluid communication with said plenum for receiving airflow therefrom, said conduits being formed with a plurality of openings therein to allow air to flow outwardly therefrom;

placing tobacco for curing in the barn with at least a portion thereof overlying said at least one of said conduits;

applying atmospheric air to said plenum using said device for generating air movement, thereby directing moving air into said at least one conduit wherein atmospheric air is directed outwardly through said openings and into contact with said tobacco.

In The Specification

[0061] The present invention also includes a plurality of pliant plastic conduits or tubes 20 for air distribution within the barn 50. The tubes 20 include a plurality of perforations 22 that act as air outlets. The tubes 20 are in fluid communication with the plenum 12 and achieve this communication by outlets 18 formed in the barn wall [54] 52 within the confines of the plenum 12. The tubes 20 are formed from a flaccid plastic material similar to that forming the plenum 12. As seen in Figure 3, the tubes 20 are suspended from overhead support structures which may be tobacco support members 60 by metal hooks 24 which drape over a support member 60 and engage the tube 20. The tubes 20 may be open at a distal end thereof or they may be tied off at any place along their length, as seen in Figure 5, to adjust airflow which may include eliminating airflow from areas that are devoid of tobacco. It should be noted that tobacco may be suspended from the support members 60 in ways other than as depicted in Figure 3. For example, the stalks may be split, not tied and a stick may be involved. What is significant is the overlapping of the tubes 20 by the tobacco leaves 42.

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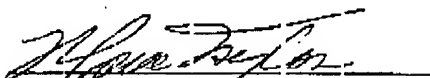
In re U. S. Patent Application of: Hutchens, Thomas W.)
Serial No.: 10/726,170)
Filed: 12/02/2003)
Art Unit: 3749)
Examiner: Yeagley, Daniel)
Attorney Docket No.: 104613-115616)
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I hereby certify that this correspondence, including:

- Amendment
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Mark A. Taylor, Esq.
STOLL, KEENON & PARK, LLP
300 West Vine Street
Suite 2100
Lexington, Kentucky 40507-1801
859-231-3018
Attorney for Applicant